## IN THE UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF WEST VIRGINIA ELKINS

LARRY KEITH ZICKEFOOSE,

Plaintiff Civil Action No. 2:12-cv-00061

v. : Judge John Preston Bailey

WAL-MART STORES, EAST, LP.,

WILL WITHER STORES, EAST, ET.,

Defendant.

## **STIPULATION OF DISMISSAL**

The parties to the above-captioned civil action, by their undersigned counsel and pursuant to Rule 41(a)(1)(ii) of the Federal Rules of Civil Procedure, hereby stipulate to the dismissal with prejudice of this civil action. Each party will bear its own costs and attorneys' fees.

## Respectfully submitted,

/s/Erika Klie Kolenich	/s/ Shannon H. Paliotta
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